

## REGULAR MEETING

May 8, 2006

The Regular Meeting of the Annapolis City Council was held on May 8, 2006 in the Council Chamber. Alderman Israel called the meeting to order at 7:30 p.m.

Present on Roll Call: Alderwomen Hoyle, Aldermen Israel, Christman, Taylor, Stankivic, Shropshire, Cohen

Absent on Roll Call: Mayor Moyer, Alderman Cordle

Staff Present: City Attorney Spencer, Neighborhood & Environmental Programs Director Mallinoff, Public Works Director Patmore

- Alderman Stankivic moved to approve the Journal of Proceedings for Regular Meeting April 10, 2006 and Special Meeting April 24, 2006. Seconded. CARRIED on voice vote.

## PRESENTATIONS

### 2006 Youth of the Year

- Alderman Taylor presented Christopher Coard in recognition of his selection as "2006 Youth of the Year" from the Bywater Branch of the Annapolis and Anne Arundel County Boys and Girls Club, for his academic achievements, his determination to overcome any obstacles, and his work helping others in his neighborhood succeed in the mission of the Boys and Girls Club with a Citation of Merit and a compass engraved with the City of Annapolis Seal.

## PUBLIC HEARING

### Constant Yield Tax Rate

The City proposes to adopt a real property tax rate of \$0.56 per \$100 of assessment. This tax rate is 12.7% higher than the constant yield tax rate of \$0.497 and will generate \$2,656,666 in additional property tax revenues.

#### Spoke on the Constant Yield Tax Rate:

Tony I. Evans, 3 Constitution Square, Annapolis, Maryland 21401  
Cliff Meyers, 8 Acton Place, Annapolis, Maryland 21401 representing the Republican Central Committee

#### Spoke in opposition to the Constant Yield Tax Rate:

Mary Ford, 127 Monticello Avenue, Annapolis, Maryland 21401  
Erica Lowery, 3 Shipwright Harbor, Annapolis, Maryland 21401

No one else from the general public spoke in favor of or in opposition to the Constant Yield Tax Rate.

- Alderman Israel continued the public hearing on the Constant Yield Tax Rate until the Special Meeting on May 22, 2006.

## PETITIONS, REPORTS AND COMMUNICATIONS

Brian Gill, 1235 Youngs Farm Road, Annapolis, Maryland 21403 representing the Republican Central Committee spoke on the tax rate, union contracts, budget and the training of department heads

Michael Van Geertruy, 1230 Gemini Drive, Unit E, Annapolis, Maryland 21403 representing

Annapolis Republican Central Committee spoke in opposition to R-13-06 and the tax rate.

## LEGISLATIVE ACTION

### ORDINANCES

**O-06-06 For the purpose of requiring on or after July 1, 2006, all existing and new regulations must be posted on the City website, and that newly proposed regulations must be posted on the City website for at least two weeks for public comment; and matters generally relating to said posting of regulations on City website.**

- Alderman Cohen moved to adopt O-06-06 on second reading. Seconded.

The Rules and City Government Committee reported favorably on O-06-06.

The main motion CARRIED on voice vote.

- Alderman Cohen moved to adopt O-06-06 on third reading. Seconded. CARRIED on voice vote.

**O-07-06 For the purpose of improving the safety of renters by clarifying the delineation of responsibilities with respect to maintenance in the terms of leases between landlords and tenants for residential units within the City; requiring that a form specifying the maintenance responsibilities of the tenant and landlord is provided in writing along with available remedies; specifying that matters concerning Title 18, Landlord and Tenant Relations, are reviewed and addressed by the Housing and Human Welfare Committee; and matters generally relating to said maintenance of rental property.**

- Alderman Cohen moved to adopt O-07-06 on second reading. Seconded.

The Housing and Human Welfare Committee reported favorably with amendments on O-07-06.

Neighborhood & Environmental Programs Director Mallinoff gave a brief presentation on the ordinance.

- Alderwoman Hoyle moved to amend O-07-06 as follows:

On page 3, in line 9, following “following statement” insert “which cannot be waived by either party”

On page 3, in lines 12 and 13, strike “all maintenance, including repairs and replacements, due to normal wear and tear is the responsibility of the Landlord” and substitute “all maintenance, including repairs and replacements due to normal wear and tear, but not including those resulting from negligence or deliberate damage by the tenant, is the responsibility of the Landlord” Seconded.

The main motion as amended CARRIED on voice vote.

- Alderman Cohen moved to adopt O-07-06 amended on third reading. Seconded. CARRIED on voice vote.
- Alderman Stankivic abstained from the vote.

**O-09-06 For the purpose expanding Special Residential Parking District No. 3 by adding one block; and all matters relating to said parking district.**

- Alderman Stankivic moved to adopt O-09-06 on second reading. Seconded.

The Public Safety Committee reported favorably with amendments on O-09-06.

- Alderman Israel moved to amend O-09-06 as follows:

**Amendment #1**

On page 1, in line 18, after purpose, insert “of”

On page 5, strike lines 1 through 3 and substitute “SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage.” Seconded.

**Amendment #2**

On page 1, line 32, through page 2, line 22, remove the strike outs so that no existing language is removed

On page 2, in line 15, strike “Southgate” and substitute “Steele Avenue”

On page 2, strike line 24 in its entirety. Seconded.

The main motion as amended CARRIED on voice vote.

- Alderman Shropshire moved to adopt O-09-06 amended on third reading. Seconded. CARRIED on voice vote.

**O-16-06 For the purpose of providing that revisions to the Capital Improvement Program and Budget must follow the same procedure as revisions to the Annual Operating Budget; approval of budgetary revisions must be given by resolution; one Council member may request a public hearing unless the Mayor declares an emergency in which case a majority is required for a public hearing; a revision in the Capital Budget may include a reallocation of funding or a redefining of the scope of a project; the two-thirds vote requirement for an allocation from the surplus is changed to a majority vote; and matters generally relating to said budget revisions.**

- Alderman Stankivic moved to adopt O-16-06 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee and Rules and City Government Committee

**O-17-06 For the purpose of permitting the City Council to set the personal property tax at a rate other than the two and one-half times the rate for real property; and matters generally relating to the personal property tax rate.**

- Alderman Cohen moved to adopt O-17-06 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee

**RESOLUTIONS**

**R-12-06      For the purpose of recognizing Commodore John Barry as the first flag officer of the United States Navy.**

- Alderman Christman moved to adopt R-12-06 on second reading. Seconded. CARRIED on voice vote.

**R-13-06      For the purpose of condemning inappropriate ties between the Maryland Public Service Commission (PSC) and the industry it regulates as demonstrated by Kenneth D. Schisler, Chairman of the PSC, in his exchange of e-mails with a lobbyist for BGE.**

- Alderman Shropshire moved to table R-13-06 until after the FY2007 Budget has passed. Seconded. CARRIED on voice vote.

**R-14-06      For the purpose of approving an increase in service size for the existing extension of City of Annapolis water service to 20 Hudson Street which is located in Anne Arundel County, outside the boundaries of the City of Annapolis; and matters generally relating to said water extension.**

- Alderman Cohen moved to adopt R-14-06 on second reading. Seconded.

Public Works Director Patmore gave a brief presentation on the resolution.

- Alderwoman Hoyle moved to amend R-14-06 as follows:

Amendment #1

On page 2, in line 7, insert the following:

**“AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that as a condition of receiving additional water service the property owner agrees to City review and approval of the development proposal/site plan for the site to ensure consistency with the City’s site design plan review criteria and zoning. Seconded.

The main motion amended CARRIED on voice vote.

**R-19-06      For the purpose of pledging support for the Captain John Smith Chesapeake National Historic Water Trail feasibility study.**

- Alderman Cohen moved to adopt R-19-06 on first reading. Seconded. CARRIED on voice vote.

**R-20-06      For the purpose of extending from 2006 to 2011 the current lease of City property to the Chesapeake Children’s Museum; and all matters relating to said lease extension.**

- Alderwoman Hoyle moved to adopt R-20-06 on first reading. Seconded. CARRIED on voice vote.

**R-21-06      For the purpose of delaying the approval of certain building and grading permits until such time as the City adopts an adequate public facilities ordinance (APFO) to which such delayed development will be subject.**

- Alderman Cohen moved to adopt R-21-06 on first reading. Seconded. CARRIED on voice vote.

- Alderman Taylor moved to refer R-21-06 to Rules and City Government Committee, Economic Matters Committee and Environmental Matters Committee. Seconded. CARRIED on voice vote.

### **BUSINESS AND MISCELLANEOUS**

1. Appointments

- Alderman Stankivic moved to approve the Mayor's appointments & reappointments of the following individuals:

05/08/06 Alcoholic Beverage Control ..... Charles M. Grayston  
05/08/06 Alcoholic Beverage Control ..... Leonard Berman  
05/08/06 Human Relations Commission ..... Rosemary Katchmar  
05/08/06 Art in Public Places ..... Elissa C. Lowell  
05/08/06 Art in Public Places ..... Thomas W. Fridrich  
Seconded. CARRIED on voice vote.

2. Ratification of the Memorandum of Understanding between the City of Annapolis and the AFSCME Local 3406, Trades, Maintenance & Labor Force Employees

- Alderman Cohen moved to postpone the approval the Memorandum of Understanding between the City of Annapolis and the AFSCME Local 3406, Trades, Maintenance & Labor Force Employees until May 22, 2006. Seconded. CARRIED on voice vote.

3. Ratification of the Memorandum of Understanding between the City of Annapolis and the AFSCME Local 3162, Clerical and Technical Employees

- Alderman Cohen moved to postpone the approval the Memorandum of Understanding between the City of Annapolis and the AFSCME Local 3162, Clerical and Technical Employees until May 22, 2006. Seconded. CARRIED on voice vote.

4. Approval of budget revision GT-9-06 dated 4/13/06 and recommended by Finance Committee in its minutes of 4/26/06

- Alderman Cohen moved to accept the budget revision GT-9-06 dated 4/13/06 and recommended by Finance Committee in its minutes of 4/26/06. Seconded. CARRIED on voice vote.

5. Finance Committee Report on the FY 2007 City Budgets

- Alderman Israel received the FY2007 Proposed Budget Finance Committee Recommendations into the record.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:39 p.m.

**Regina C. Watkins-Eldridge, CMC**  
**City Clerk**